

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

SUPERB MOTOR, INC., TEAM AUTO SALES LLC, ROBERT ANTHONY URRUTIA, 189 SUNRISE HIGHWAY AUTO, LLC., NORTHSHORE MOTOR LEASING, LLC., BRIAN CHABRIER, individually and derivatively as member of NORTHSHORE MOTOR LEASING, LLC., JOSHUA AARONSON, individually and derivatively as a member of 189 SUNRISE HWY AUTO, LLC., JORY BARON, 1581 HYLAN BLVD AUTO, LLC., 1580 HYLAN BLVD AUTO, LLC., 1591 HYLAND BLVD AUTO, LLC., 1632 HYLAN BLVD AUTO, LLC., 1239 HYLAN BLVD AUTO, LLC., 2519 HYLAND BLVD AUTO, LLC., 76 FISK STREET REALTY, LLC., 446 ROUTE 23 AUTO, LLC., and ISLAND AUTO MANAGEMENT, LLC.,

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY THOMASSON, DWIGHT BLANKENSHIP, MARC MERCKLING, MICHAEL LAURIE, THOMAS JONES, CPA, CAR BUYERS NYC, INC., GOLD COAST CARS OF SYOSSET, LLC., GOLD COAST CARS OF SUNRISE, LLC., GOLD COAST MOTORS AUTOMOTIVE GROUP, LLC., GOLD COAST MOTORS OF LIC, LLC., GOLD COAST MOTORS OF ROSLYN, LLC., GOLD COAST MOTORS OF SMITHTOWN, LLC., UEA PREMIER MOTORS CORP., DLA CAPITAL PARTNERS, INC., JONES, LITTLE & Co., CPA'S, LLP., FLUSHING BANK, LIBERTAS FUNDING, LLC, and J.P. MORGAN CHASE BANK, N.A.

Defendants.

-----X

Case No. 2:23-cv-6188  
(JMW)

**DEFENDANTS ANTHONY DEO, SARAH DEO, HARRY THOMASSON, DWIGHT BLANKENSHIP, MARC MERCKLING, MICHAEL LAURIE, THOMAS JONES, CPA, CAR BUYERS NYC, INC., GOLD COAST CARS OF SYOSSET, LLC., GOLD COAST CARS OF SUNRISE, LLC., GOLD COAST MOTORS AUTOMOTIVE GROUP, LLC., GOLD COAST MOTORS OF LIC, LLC., GOLD COAST MOTORS OF ROSLYN, LLC., GOLD COAST MOTORS OF SMITHTOWN, LLC., UEA PREMIER MOTORS CORPS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Defendants Anthony Deo, Sarah Deo, Harry Thomasson, Dwight Blankenship, Marc Merckling, Michael Laurie, Car Buyers NYC, INC., Gold Coast Cars of Syosset, LLC., Gold Coast Cars of Sunrise, LLC., Gold Coast Motors Automotive Group, LLC., Gold Coast Motors Of LIC, LLC., Gold Coast Motors of Roslyn, LLC., Gold Coast Motors of Smithtown, LLC., UEA Premier Motors Corp (the "Defendants" or "Deo Defendants"), by and through their attorneys, Levine Singh, LLP, respectfully submit the following proposed Findings of Fact and Conclusions of Law

following the February 20, 2024, evidentiary hearing before the Honorable James M. Wicks concerning the location of the 43 Remaining Vehicles<sup>1</sup>.

### **PROPOSED FINDINGS OF FACT**

1. Defendant, Anthony Deo, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles. (Tr., at 30:1-30:8, 62:20-63:10, 64:13-64:19).

2. Defendant, Marc Merckling, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles. (Tr. at 93:1-93:9, 94:15-94:19, 107:9-107:25).

3. Defendant, Dwight Blankenship, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles. (Tr., at 93:1-93:9, 94:15-94:19, 94:15)

4. Non-Party, Eugene Lowe, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles. (Tr., at 116:1-116:20).

5. Non-Party, Efaz Deo, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles. (Tr., at 126:24-127:2).

6. Defendant, *Michael Laurie*, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles. (Tr. 135:1-135:9).

7. Defendant, *Harry Thomasson*, does not have any personal knowledge as to the precise location of any of the 43 Remaining Vehicles (Tr. 140:22-141:16).

### **CONCLUSIONS OF LAW**

Plaintiffs failed to produce any evidence at the hearing which establishes that the Defendants are in the possession, custody, or control of the 43 Remaining Vehicles, or that

---

<sup>1</sup> A true copy of the Transcript from the February 20, 2024 hearing is appended hereto as **Exhibit A**.

Defendants have any actual knowledge as to the current location of the 43 Remaining Vehicles. Based on the foregoing, the Plaintiffs have failed to meet their burden of proof to warrant the Court to modify the Preliminary Injunction to include directing the Deo Defendants to return and/or account for the 43 Remaining Vehicles.

Dated: March 22, 2024  
Hicksville, New York

By: LEVINE SINGH, LLP  
/s/ Brian M. Levine  
Brian M. Levine, Esq.  
260 N. Broadway, Suite 2A  
Hicksville, New York 11801  
Tel. No.: (347) 732-4428  
Fax No.: (917) 477-2273  
*Attorneys for the Deo Defendants*

**VIA ECF:** All Parties